## APPENDIX

### Constitutional and Statutory Laws Involved

I. Constitutional Amendment, Art. X

"The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

II. United States Code, Title 18, Sec. 202

"Acceptance or solicitation by officer or other person.

"Whoever, being an officer or employee of, or person acting for or on behalf of the United States, in any official capacity, under or by virtue of the authority of any department or agency thereof, or an officer or person acting for or on behalf of either House of Congress, or of any Committee of either House, or of both Houses thereof, asks, accepts, or receives any money, or any check, order, contract, promise, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, with intent to have his decision or action on any question, matter, cause, or proceeding which may at any time be pending, or which may by law be brought before him in his official capacity, or in his place of trust or profit, influenced thereby, shall be fined not more than three times the amount of such money or value of such thing or imprisoned not more than three years, or both; and shall forfeit his office or place and be disqualified from holding any office of honor, trust, or profit under the United States . . ." (June 25, 1948, ch 645 Sec. 1, 62 Stat. 691.)

(Filed December 17, 1959)

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 15,183

WILLIAM A. ALBAUGH, *Appellant*,

v.

DISTRICT OF COLUMBIA, ET AL., *Appellees*.

Appeal from the United States District Court for the District of Columbia

Decided December 17, 1959

**Opinion**

Mr. William A. Albaugh, appellant pro se.

Mr. Richard W. Barton, Assistant Corporation Counsel for the District of Columbia, with whom Messrs. Chester H. Gray, Corporation Counsel, Milton D. Korman, Principal Assistant Corporation Counsel, and Hubert B. Pair, Assistant Corporation Counsel, were on the brief, for appellees.

Before: WILBUR K. MILLER, WASHINGTON and DANAHER, Circuit Judges.

PER CURIAM: Appellant was separated from his position as a probationary employee in the service of the District of Columbia. He thereafter brought suit in the District Court for reinstatement and other relief. Named as defendants were the District of Columbia and certain of appellant's former superior officers. After a trial, the court entered judgment for defendants-appellees. We find no reversible error.

Affirmed.

(Filed December 17, 1959)

Before: WILBUR K. MILLER, WASHINGTON and DANAHER, Circuit Judges.

**Judgment**

This cause came on to be heard on the record on appeal from the United States District Court for the District of Columbia, and was argued by counsel.

On consideration whereof it is ordered and adjudged by this Court that the Judgment of the District Court appealed from in this cause be, and it is hereby, affirmed.

It is further ORDERED by the Court that appellees herein recover from appellant their taxable costs on this appeal, and have execution therefor.

Per Curiam.

Dated: December 17, 1959

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Supreme Court, U.S.
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JAMES R. BROWNING, Clerk

BRIEF FOR RESPONDENTS IN OPPOSITION

IN THE

# Supreme Court of the United States

October Term, 1959

No. 669

WILLIAM A. ALBAUGH, *Petitioner*,

v.

DISTRICT OF COLUMBIA GOVERNMENT, et al., *Respondents*.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

CHESTER H. GRAY,
*Corporation Counsel, D. C.*
MILTON D. KORMAN,
*Principal Assistant Corporation Counsel, D. C.*
HUBERT B. PAIR,
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*Washington 4, D. C.*

PRINTING DIVISION—D. C. GOVERNMENT

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